

## Telecommuting/Work from Home Policy

### PURPOSE

The purpose of the Telecommuting Policy is to provide employees with the guidelines and controls for working remotely. Teleworking, or telecommuting, is the concept of working from home or another location on a full- or part-time basis. Teleworking is not a formal, universal employee benefit. Rather, it is an alternative method of providing public services to Grand Traverse County residents. The County has the right to refuse to make teleworking available to an employee and to terminate a teleworking arrangement at any time. Teleworking does not change the basic terms and conditions of employment with the County, and employees are subject to the same policies that apply when working at a County facility. Employees are not required to telework unless County Administration determines it to be necessary in response to an emergency or public health crisis.

### POLICY & PROCEDURE

#### Eligibility Criteria

Individuals requesting formal telecommuting arrangements must be employed with Grand Traverse County for a minimum of 12 months of continuous, regular employment and must have a satisfactory performance record. Not all roles will lend themselves to working from home; it is not available for every job or every employee in the County.

The employee will execute a telecommuting agreement before telework may begin. Before entering into any telecommuting agreement, the employee and manager, with the assistance of the human resource department, will evaluate the suitability of such an arrangement, reviewing the following areas: The employee's manager will consider a home office for an employee when the employee has demonstrated work habits and performance well-suited to successful home office work and the home office provides opportunity for improved employee performance or retention, reduced commuting miles, organization savings, or other benefits. The following guidelines need to be considered:

- Work habits
  - Telecommuting workers must have demonstrated self-motivation, self-discipline, adequate knowledge to complete tasks correctly, the ability to work independently, the ability to manage distractions, and the ability to meet deadlines.
- Job/Tasks/Assignments
  - Employee suitability. The employee and manager will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
  - Job responsibilities. The employee and manager will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
  - Equipment needs, workspace design considerations and scheduling issues. The employee and manager will review the physical workspace needs and the appropriate location for the telework.
  - The job/tasks/assignments which are proposed for Telecommuting work must have minimum requirements for direct supervision or contact with customers; the Telecommuting worker's need for specialized material must be minimal or flexible; and

the Telecommuting worker's work objectives and tasks must be clearly defined with measurable results.

- While working from home, the employee must be reachable via telephone or cell phone, fax, or e-mail during agreed-upon work hours or specific core hours of accessibility.
- Telecommuting workers will not act as primary caregivers for dependents during the agreed-upon work hours. This does not mean dependents must be absent from the home during the Telecommuting work hours. It means the dependents may not require the Telecommuting worker's attention or supervision during work hours. Telecommuting workers must make dependent care arrangements to permit concentration on their work assignments. Emergency situations will be handled by the supervisor on a case-by-case basis
- Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

If the employee and manager agree, and the human resource department concurs, a telecommuting agreement will be prepared and signed by all parties, and a three-month trial period will commence. A sample agreement is included with this policy.

Evaluation of telecommuter performance during the trial period will include regular interaction by phone and e-mail between the employee and the manager, and weekly face-to-face meetings to discuss work progress and problems. At the end of the trial period, the employee and manager will each complete an evaluation of the arrangement and make recommendations for continuance or modifications. Evaluation of telecommuter performance beyond the trial period will be consistent with that received by employees working at the office in both content and frequency but will focus on work output and completion of objectives rather than on time-based performance.

An appropriate level of communication between the employee and manager will be agreed to as part of the discussion process and will be more formal during the trial period. After conclusion of the trial period, the manager and employee will communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.

The employee's compensation, benefits, work status and work responsibilities will not change due to participation in the teleworking program. The amount of time the employee is expected to work per day or pay period will not change as a result of participation in the teleworking program

### **Confidentiality and Access**

Equipment and files should only be accessible to the employee and safeguarded from access by other members of the household and visitors. The employee's manager should have access at a reasonable time to equipment and any paper records kept at an employee's home.

### **Security**

Consistent with the County's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of confidential information accessible from their home office. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

### **Compliance with Law and Policies and Procedures**

Telecommuting arrangements must comply with federal, state, and municipal laws that apply to County employees. This includes, but is not limited to, the Fair Labor Standards Act (FLSA) and the Occupational Safety and Health Act (OSHA). All employees that telework must adhere to all County

policies and procedures including those about computer equipment including, but not limited to, the following: Human Resources policy, Information Security, Internet, E-Mail, Virus, Software Licenses, Remote Access, etc.

### **County Equipment**

The equipment and supplies necessary to telework will be provided by a combination of both the employee and the County. The equipment issued to a teleworker should be sufficient to support the employee's work requirements; however, the Department Director/designee should make cost-effective decisions as it relates to equipment.

Teleworkers must have the ability to communicate with other employees and customers in a manner consistent with a non-teleworking employee. In other words, teleworking employees must be readily available. Examples of the technology needed to ensure availability include access to cell phone communication, Voice over Internet Protocol (VOIP) Instant Messaging, or similar instant communication methods.

County provided computer equipment that adheres to County standards for hardware, software, and related equipment that will be provided to teleworkers. The specific type of equipment depends on the job and will be recommended by departmental or County IT staff for approval by the Department Director/designee. County employees must be aware that any County work done on an employee's personal computer is considered County property and a public record, subject to public access unless an exception applies.

The County is responsible for the maintenance and support of County-owned equipment, including hardware and software. Support will be provided by IT and/or the teleworker's departmental IT staff. Customer Support Center support and equipment maintenance will be provided Monday –Friday from 10:00 a.m. to 3:00 p.m.

Teleworkers must have reliable transportation and are required to be able to be at their regular County office within one hour of a call should a situation arise. Any exceptions outside one hour must be discussed with the teleworker and their manager or supervisor.

### **Liability**

The employee's home workspace will be considered an extension of the County's workspace. Therefore, the County will continue to be liable for job-related accidents that occur in the employee's home workspace during the employee's working hours.

The County will be liable for injuries or illnesses that occur during the employee's agreed-upon work hours. The employee's at-home work hours will conform to a schedule agreed upon by the employee and his or her supervisor. If such a schedule has not been agreed upon, the employee's work hours will be assumed to be the same as before the employee began teleworking.

The County assumes no liability for injuries occurring in the employee's home workspace outside the agreed-upon work hours.

The County is not liable for loss, destruction, or injury that may occur in or to the employee's home. This includes family members, visitors, or others that may become injured within or around the employee's home.

### **Ad Hoc Arrangements**

Temporary telecommuting arrangements may be approved for circumstances such as inclement weather, special projects or business travel. These arrangements are approved on an as-needed basis only, with no expectation of ongoing continuance.

Other informal, short-term arrangements may be made for employees on family or medical leave to the extent practical for the employee and the organization and with the consent of the employee's health care provider, if appropriate.

All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the organization.

### **Review**

It is important for County employees to know that if you have a worksite office you do not qualify for any kind of reimbursement. At any time, the agreement to work from home may be reviewed by the employee or County. This policy is also subject to review and does not form part of any contract of employment.

### **Questions**

Questions regarding this policy or any of the related forms should be directed to Human Resources.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy 7/2020

## Telecommuting/Work from Home Agreement

This agreement is to be completed by all employees whose normal duties are in an office setting who want to transition those duties to a teleworking arrangement. Grand Traverse County agrees to permit employees to work at an offsite location including home, mobile office, etc. and the employee agrees to work offsite under the following terms and conditions. Employee agrees to maintain the confidentiality of all County records and information as required by County policy and/or department regulations. All other employee expectations regarding performance, conduct, and attendance remain unchanged.

This document does not constitute a contract of employment, either express or implied. Employee expressly acknowledges that he/she cannot rely on or take actions in reliance upon any particular duration of the permission to work at home.

I have read the following documents and agree to follow the policies and procedures outlined in them:

- Grand Traverse County Telework Policy and related documents
- Grand Traverse County's policies and procedures for information security, Internet, e-mail, viruses, software licenses, remote access, and County phone.

The location from which I will work is: (give full address)

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During scheduled telework times, I can be reached at \_\_\_\_\_ and if applicable at \_\_\_\_\_

I agree to obtain my telephone messages at least \_\_\_\_\_ times on each scheduled workday while teleworking.

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A. Working Conditions Applicable to All Employees: I agree:

1. I am expected to be actively working during the agreed-upon teleworking schedule above in the same manner as I am on an office-based workday. It is my responsibility to request/inform my supervisor/manager if my availability changes in the same manner as I would on an office-based workday, subject to my department/division procedures.
2. I will take my regularly scheduled lunch/meal break unless otherwise agreed to in advance with my supervisor/manager.
3. I will request the use of personal leave time (vacation, sick, and/or holiday accrued time) in the same manner as I would for an office-based workday, subject to my department/division procedures.
4. I understand that my supervisor/manager may call me to work at an assigned worksite for business reasons on a scheduled teleworking day.
5. I will not hold in-person business meetings with internal or external clients, customers, or colleagues at my residence.

6. I will not conduct any unauthorized external (non-county) work or activities during my teleworking schedule.
7. I am working from a remote location within Michigan.

B. Additional Working Conditions Applicable to Non-Exempt Employees: I agree:

1. As an overtime-eligible (non-exempt) employee under the FLSA, I understand all work performed at home is considered work time and is compensable.
  - a. I understand any hours beyond my normal work schedule must be authorized in advance by my supervisor/manager.

This telework agreement may be terminated at any time for any reason by me or the County. If I terminate the agreement, I must give my assigned department up to two weeks to identify the office/workspace for me.

Employee's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Employee's name: (print) \_\_\_\_\_

Employee's title: \_\_\_\_\_

Supervisor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor's name: (print) \_\_\_\_\_

Supervisor's title: \_\_\_\_\_

Organization: \_\_\_\_\_

Department Director's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Department Director's name: (print) \_\_\_\_\_

Department Name: \_\_\_\_\_